

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHSHORE SHEET METAL INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION,
LOCAL 66,

Defendant.

CASE NO. C15-1349-MJP

ORDER STAYING CASE AND
DIRECTING PARTIES TO
PROCEED TO MEDIATION AND
ARBITRATION

THIS MATTER comes before the Court on several pending motions filed by the Parties. (Dkt. Nos. 50, 51, 52, 67). Having reviewed the motions, the responses, and the related record, the Court hereby STAYS this case in its entirety and ORDERS the Parties to proceed to mediation and arbitration in conformance with the Court's Order on Plaintiff's Motion for Temporary Restraining Order. (Dkt. No. 21.) The Parties are FURTHER ORDERED to provide the Court with a status report regarding mediation and arbitration every three (3) months.

On September 4, 2015 the Court entered an Order granting in part and denying in part Plaintiff's Motion for Temporary Restraining Order. (Dkt. No. 21.) The Court enjoined

1 Defendant from engaging in strike activity related to fringe benefits owed under the Parties'
2 Settlement Agreement and Successor CBA. (Id. at 6.) The Court further ordered the Parties to
3 proceed to mediation and arbitration on the issue of fringe benefits owed under the Settlement
4 Agreement and Successor CBA in accordance with the mandatory dispute resolution provisions
5 of those agreements. (Id.)

6 Pending before the Court are the following motions: (1) Defendant's Motion for Leave to
7 Amend Answer, (Dkt. No. 50); (2) Defendant's Motion to Stay Proceedings Pending Arbitration,
8 (Dkt. No. 51); (3) Plaintiff's Motion to Compel Discovery, (Dkt. No. 52); and (4) Defendant's
9 Motion to Compel Discovery, (Dkt. No. 67).

10 In the briefing on these motions, the Parties indicate that they have not proceeded to
11 mediation and arbitration on the fringe benefits issue in compliance with the Court's September
12 4, 2015 Order. (See e.g. Dkt. No. 51.) However, the Parties do not provide a proper reason—
13 beyond their inability to cooperate—for failing to comply with the Court's Order. The Court,
14 therefore, STAYS this case in its entirety and declines to rule on the Parties' pending motions or
15 to provide any additional relief to the Parties until they have complied with the Court's Order.
16 The Parties are ORDERED to proceed to mediation and arbitration in conformance with the
17 Court's September 4, 2015 Order. The Parties are FURTHER ORDERED to provide the Court
18 with a status report regarding mediation and arbitration every three (3) months. The clerk is
19 directed to terminate Dkt. Nos. 50, 51, 52, 67 as moot.

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1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated this 23rd day of May, 2016.

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5 Marsha J. Pechman
6 United States District Judge
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